



**Austin City Council
MINUTES**

**REGULAR MEETING
THURSDAY, MARCH 6, 2003**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed.

The City Council of Austin, Texas, convened in a regular meeting on Thursday, March 6, 2003 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

Invocation: Reverend Tom Frank, San Jose Catholic Church

Mayor Garcia called the Council Meeting to order at 12:12 p.m.

Mayor Garcia recessed the meeting at 12:13 p.m. to go into Executive Session

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

1. Discuss legal issues and possible settlement of construction claims of C.C. Carlton Industries, Ltd. related to Valve Replacement Program Package B and Valve Replacement Program Package C.

Public Power Utility Competitive Matters - Section 551.086

2. Discuss impacts of electricity restructuring on Austin Energy.

Executive Session ended at 1:30 p.m.

Mayor Garcia called the regular meeting back to order at 1:33 p.m.

CITIZEN COMMUNICATIONS: GENERAL

Jimmy Castro - Star of Texas Fair and Rodeo, Mar 22 - Apr 5

Stefan Wray - CSC Dyncorp Merger

Pam Thompson - CSC Dyncorp Merger

Jennifer L. Gale - How much suffering must we endure in opportunity cost of businesses small and large in Austin's decaying culture?

Robert L. Thomas - To discuss building and employment for athletes at the Rosewood Recreation Center
Not present when called.

Gus Pena - (1) Include the Public early on in the year in Budget Talks. (2) We Need More Affordable Housing. More of our Poor, and Have Not's Need Health Care and Basic Services. **Not present when called.**

Thomas Ibis - Avery Ranch

Marcos De Leon - Holly Power Plant

Wilton Stone - Resolution

Gerry Van King - No Topic

Items 3 and 4 were briefings discussed later in the meeting.

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Mayor Pro Tem Goodman's motion, Council Member Thomas' second on a 7-0 vote.

5. Approval of minutes from worksession of February 26, 2003 and regular meeting of February 27, 2003.
The minutes from the worksession of February 26, 2003, regular meeting of February 27, 2003 were postponed to March 20, 2003.
6. Approve negotiation and execution of settlement agreement to resolve construction claims of C.C. Carlton Industries, LTD. related to Valve Replacement Program Package B in an amount not to exceed \$176,296.65 and Valve Replacement Program Package C in an amount not to exceed \$286,493.35. (Related Item 1)
The motion authorizing the negotiation and execution of settlement agreement was approved.
7. Amend Ordinance No. 020910-01, the Fiscal Year 2002-2003 Operating Budget to create a new program entitled "Cultural Arts" in the Economic Growth and Redevelopment Services Office, and to transfer and add full-time equivalent positions and appropriate funds. (Funding in the amount of \$326,545 is available in the Fiscal Year 2002-2003 amended budget of the Electric Utility; \$35,000 is available from CIP expense refunds (AIPP activity); \$33,694 is available from existing General Fund funding; and \$6,400 is available in grant funds) (Related Items 8, 9)
Ordinance No. 030306-07 was approved.
8. Approve an ordinance repealing Sections 2-4-54 (B) and 2-4-55 of the City Code relating to the review process by which the Arts Commission makes recommendations for cultural arts contracts. (The interim process was adopted by the Arts Commission on October 28, 2002 with revisions made on January 13, 2003.) (Related Items 7, 9)
Ordinance No. 030306-8 was approved.
9. Authorize negotiation and execution of Amendment No. 2 to a professional services agreement with DABNEY & ASSOCIATES, Houston, TX, to provide consultation and assistance during the transition of the City's cultural arts organization and the development of a cultural arts policy and revised contract funding process, to increase the contract in an amount not to exceed \$75,000, for a total contract amount not to exceed \$124,259.76. (Funding in the amount of \$75,000 is available in the 2002-2003 Amended Operating Budget for the Economic Growth and Redevelopment Services Office.) This contract will be awarded in compliance with the 1996

MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. (Related Items 7, 8)

The motion authorizing the negotiation and execution of Amendment No. 2 to a professional services agreement was approved.

10. Approve first reading of an ordinance granting to Time Warner Entertainment/Advance-Newhouse a six year franchise extension, as provided for in the franchise granted by Ordinance Number 960613-A.
The first reading of the ordinance was approved.
11. Approve a resolution adopting the City of Austin Hazard Mitigation Action Plan.
Resolution No. 030306-11 was approved.
12. Approve an ordinance amending the Fiscal Year 2002-2003 Municipal Court Fee Schedule of Ordinance No. 020910-04 to establish a transcript preparation fee of \$25 for appeal of a judgment or conviction. (Anticipate an increase in General Fund revenues of \$275 from the collection of a \$25 Appeal Transcript Preparation Fee.)
Ordinance No. 030306-12 was approved.
13. Approve an amendment to the 2002-2003 service agreement between Neighborhood Housing and Community Development and Austin Housing Finance Corporation to allocate \$800,000 in HOME program income funds as follows: \$700,000 to the Acquisition and Development Program and \$100,000 to the Down Payment Assistance Program, and amend the 2002-2003 budget to increase the line item for Acquisition and Development by \$700,000 and the line item for Down Payment Assistance by \$100,000. (Funds in the amount of \$800,000 are available from HOME program income generated. \$700,000 will be used by Acquisition and Development Program and \$100,000 by Down Payment Assistance Program.) (The Board approved the service agreement with the City on October 3, 2002 and amended the agreement on January 9, 2003 for acceptance of \$1.85 million in grant funds from the City of Austin to operate the Lead Hazard Control Program.) (Related Items 14, AHFC-2)
The motion authorizing an amendment to the 2002-2003 service agreement was approved.
14. Amend Ordinance No. 020910-01, the Fiscal Year 2002-2003 Operating Budget, of the Neighborhood Housing and Community Development Home Grant Special Revenue Fund by appropriating program income funds, \$700,000 for Acquisition and Development; and \$100,000 for Down Payment Assistance. (Funds in the amount of \$800,000 are available from HOME program income funds generated. \$700,000 will be used by Acquisition and Development Program and \$100,000 by Down Payment Assistance Program.) (The Board approved the AHFC service agreement with the City on October 3, 2002 and amended the agreement on January 9, 2003 for acceptance of \$1.85 million in grant funds from the City of Austin to operate the Lead Hazard Control Program.) (Related Items 13, AHFC-2)
Ordinance 030306-14 was approved.
15. C14-02-0041- London Park Retail - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11521 North FM 620 (Bull Creek Watershed) from SF-2, Single Family Residence Standard Lot district zoning and DR, Development Reserve district zoning to GR-CO, Community Commercial-Conditional Overlay Combining district zoning. First reading on January 30, 2003. Vote: 7-0. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council on first ordinance reading. Applicant: London Park Enterprises 620 Joint Venture (Mike London). Agent: Bury and Partners, Inc. (James B. Knight). City Staff: Sherri Gager, 974-3057.

Ordinance 030306-15 was approved.

16. C14-02-0152 - Approve second /third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7800 U.S. Highway 290 West (Williamson Creek-Barton Springs Zone) from GR-CO, Community Commercial-Conditional Overlay Combining district zoning to GR-CO, Community Commercial-Conditional Overlay Combining district zoning. First reading November 21, 2002. Vote: 6-0, Goodman absent. Conditions met as follows: Conditional Overlay and Restrictive Covenant incorporates the conditions imposed or accepted by City Council at first ordinance reading. Applicant: Buffalo Equities, LTD. Agent: Brown McCarroll (Nikelle Meade) City Staff: Annick Beaudet, 974-2975. (Continued from 1/9/03).
This item was postponed to May 8, 2003.
17. C814-01-0038 - Parmer/Walnut Creek P.U.D. - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1200 Block of Parmer Lane (Walnut Creek Watershed) from SF-6 Townhouse & Condominium Residence district zoning, RR Rural Residence district zoning, and LO Limited Office district zoning to PUD Planned Unit Development district zoning. Second reading on August 8, 2002. Vote: 7-0. First reading on November 29, 2001. Vote: 7-0. Conditions met as follows: Ordinance incorporates the conditions imposed by Council on second ordinance reading. Applicant: FSKMS Ranch Ltd. (John Scofield, Edgar and Linda Perry, Vernon Scofield, and Glen and Martha Chilek). Agent: Arbrust Brown, L.L.P. (Richard Suttle, Jr.) and Bury and Partners, Inc. (James B. Knight, P.E.). City Staff: Sherri Gager, 974-3057. (Continued from 2/13/03).
This item was postponed to March 27, 2003

Items 18 and 19 were pulled for discussion.

20. Authorize negotiation and execution of a renewal of the agreement with Austin First Step Corporation for the administration and management of the First Step Community Fund, for a one year term with four one year renewal options; and approve an amendment to the Settlement Agreement and Release between the City of Austin and the plaintiffs in the Cedar Avenue litigation who are parties to that Agreement, to revise the scholarship program eligibility guidelines and approve scholarship funding awards of the First Step Board.
The motion authorizing the negotiation and execution of a renewal of the agreement was approved.

Items 21 & 22 were pulled for discussion.

23. Approve a resolution authorizing the filing of eminent domain proceedings to acquire a permanent wastewater lift station site, access road, gas & water easement containing 1,253 square feet of land and a temporary construction easement containing 2,080 square feet of land out of Lot 4, Block C, Bluffington, Section 2, Travis County, Texas, located at 102 Canyon Circle West, from Craig A. Coffee, in the amount of \$12,816.00. (Funding is available in the 2002-2003 Amended Capital Budget of the Department of Water and Wastewater.)
Resolution No. 030306-23 was approved.
24. Authorize negotiation and execution of a contract for construction services with TEPSCO, L.P., Deer Park, TX, for the installation of underground chilled water piping for the initial period of one year in an amount not to exceed \$3,000,000, with two optional one year extensions, not to exceed \$1,000,000 per approved annual extension, for an overall contract amount not to exceed \$5,000,000. (\$3,000,000 was included in the 2002-03 Amended Capital Budget of Electric

Utility. Funding for the extension options is contingent upon available funding in future budgets.) One proposal received. No project goals included in solicitation. (02/10/03 - Electric Utility Commission)

The motion authorizing the negotiation and execution of a contract for construction services was approved.

25. Authorize negotiation and execution of professional services agreements with DAVCAR ENGINEERING, Austin, TX (100% MBE/MH Prime); THE ARIZPE GROUP, INC., Austin, TX (100% MBE/MH Prime); CPM, Austin, TX (100% MBE/FB Prime); ASD CONSULTANTS, INC., Austin, TX (100% MBE/MB Prime); and SUNLAND ENGINEERING COMPANY, Austin, TX (100% MBE/MH Prime), for construction phase engineering services on a rotation list basis for an estimated period of three years or until financial authorization is expended, with each agreement not to exceed \$500,000, for a total amount of all agreements combined not to exceed \$500,000. (Funding in the amount of \$500,000 is available in the 2002-2003 Operating Budget of the Department of Public Works.) Best of seventeen qualification statements received. **The motion authorizing the negotiation and execution of professional services agreements was approved.**

Item 26 was pulled for discussion.

27. Authorize execution of a 12-month supply agreement with TECHLINE, INC., Austin, TX for secondary aluminum cable/wire for underground and overhead projects in an amount not to exceed \$287,911.20 with three 12-month extension options in an amount not to exceed \$287,911.20 per extension for a total agreement amount not to exceed \$1,151,644.80; and a 12-month supply agreement with TEC UTILITY SUPPLY & SERVICE, Georgetown, TX for secondary aluminum cable/wire for underground and overhead projects in an amount not to exceed \$191,940.80 with three 12-month extension options in an amount not to exceed \$191,940.80 per extension for a total agreement amount not to exceed \$767,763.20. (Funding in the amount of \$279,914 is available in the 2002-2003 Amended Operating Budget of the Electric Utility Department. Funding for the remaining five months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bids of ten bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. **The motion authorizing the execution of a supply agreement was approved.**
28. Approve execution of a contract with MATCOR, SUGAR LAND, TX, for the purchase and installation of three cathodic protection systems at the Sand Hill Energy Center in an amount not to exceed \$94,705. (Funding in the amount of \$94,705 is available in 2002-2003 Amended Capital Budget for the Electric Utility Department.) Low bid meeting specifications of three bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No goals were established for this solicitation. No subcontracting opportunities were identified; therefore no M/WBE goals were established for this contract. **The motion authorizing the execution of a contract was approved.**
29. Authorize execution of Amendment No. 2 to the contract with SIEMENS PT&D C/O FAPCO, New Braunfels, TX for modification of the control cabinet circuitry of the 35kV switchgear in an amount not to exceed \$48,696 for a total contract amount not to exceed \$704,669. (Funding in the amount of \$48,696 is available in the 2002-2003 Amended Capital Budget of the Electric Utility Department.) This contract was awarded in compliance with the 1996 MBE/WBE Ordinance, as

amended. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the execution of Amendment No. 2 to the contract was approved.

- 30. Authorize execution of a 12-month supply agreement with PENCCO, INC., SEALY, TEXAS for fluorosilicic acid for the Water and Wastewater Utility in an amount not to exceed \$172,200 with two 12-month extension options in an amount not to exceed \$172,200 per extension, for a total contract amount not to exceed \$516,600. (Funding in the amount of \$100,450 is available in the 2002-2003 Approved Operating Budget of the Water and Wastewater Utility. Funding for the remaining five months of the original contract period and extension option is contingent upon available funding in future budgets.) Low bid of five bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing the execution of a supply agreement was approved.

Items 31-33 were pulled for discussion.

- 34. Approve an Ordinance to annex the Sheldon Tract (approximately 210 acres in Travis County east of the intersection of Thaxton Road and Salt Springs Drive), and grant SF-2 and SF-4A interim designations in accordance with the preliminary subdivision filed on the tract. (Funding necessary to provide general governmental services to this tract is available in the budgets of the department that will be providing the services.)

Ordinance No. 030306-34 was approved.

- 35. Approve an ordinance to annex the Dessau Road right-of-way (ROW), (approximately .818 acres in Travis County of Dessau Road ROW at approximately three-tenths of a mile north of the intersection of Dessau Road and Rundberg Lane for approximately 225 feet. (Funding necessary to provide general governmental services to this tract is available in the budgets of the department that will provide the services.)

Ordinance No. 030306-35 was approved.

- 36. Approve issuance of a Street Event Permit to Fado's Irish Pub to close the 100 block of West 4th Street on March 15, 2003, beginning at 6:00 a.m. through March 16, 2003 at 6:00 a.m. for a St. Patrick's Day fee paid event.

This item was removed from the agenda.

Item 37 was pulled for discussion.

ITEMS FROM COUNCIL

- 38. Appointments to Boards and Commissions.
The following appointment was made:

<u>Board/ Appointee</u>	<u>Consensus/ Council Nominee</u>	<u>Appointment/ Reappointment</u>
<u>Austin Community Education Consortium</u> Elmore DuFour	Consensus	Reappointment

- 39. Approve a resolution requesting that the 78th Texas Legislature ensure that money/funding generated from the 9-1-1 service fees collected within the City of Austin remains in the City of Austin's 9-1-1 system and to broaden the abilities for which the money may be used within the

City of Austin's 9-1-1 system. (Council Member Daryl Slusher and Council Member Raul Alvarez)

Resolution No. 030306-39 was approved.

40. Set a public hearing regarding the application submitted by American Medical Response (AMR) to renew a non-emergency transfer franchise, under Chapter 6-3 of the City Code. (Suggested Date and Time: March 20, 2003 at 6:00 p.m.).(The Austin-Travis County EMS Advisory Board unanimously recommended approval of AMR's franchise renewal at a meeting held on February 12, 2003.)
The public hearing was set for March 20, 2003 at 6:00 p.m.
41. Set a public hearing to consider an amendment to the Holly Neighborhood Plan, part of the Austin Tomorrow Comprehensive Plan, to change the Future Land Use Map from mixed-use, industrial, single-family residential, multi-family, civic, and transportation to commercial mixed-use, commercial, industrial, and civic for properties zoned Limited Industrial Service (LI) district within the Holly Planning Area. (Suggested date and time for public hearing: April 3, 2003 at 4:00 p.m.) (November 28, 2001 - The Planning Commission unanimously recommended the Holly Neighborhood Plan for adoption at City Council)
The public hearing was set for April 3, 2003 at 4:00 p.m.
42. Set a public hearing to consider a variance request to allow construction of rest room facilities in the 100-year and 25-year floodplains of Shoal Creek at Pease Park. (Suggested date and time: March 20, 2003 at 6:00 p.m.)
The public hearing was set for March 20, 2003 at 6:00 p.m.

Briefing(s)

3. Presentation by the Downtown Community Court regarding possible expansion of their jurisdictional boundaries.
The presentation was made by Gregory Toomey of the Municipal Court.
4. Electric Industry Restructuring Update.
The presentation was made by Mark Dreyfuss, Director of Marketing Policy and Planning, Austin Energy.

BOARD OF DIRECTORS' MEETING OF AUSTIN HOUSING FINANCE CORPORATION

Mayor Garcia recessed the meeting at 3:38 p.m. to go into a meeting of the Board of Directors' of the Austin Housing Finance Corporation.

Mayor Garcia called the Council Meeting back to order at 3:48 p.m.

ZONING HEARINGS AND APPROVAL OF ORDINANCES/RESTRICTIVE COVENANTS

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. Consent items were approved on Council Member Wynn's motion, Council Member Thomas' second on a 6-0 vote. Council Member Dunkerley was absent.

- Z- 1 C14-03-0011 - Lott Park - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1180 Curve Street and 904, 906 and 908 Olive Street (Waller Creek Watershed) from SF-3-NP Family Residence-Neighborhood Plan Combining District zoning to P-NP, Public-Neighborhood Plan Combining

District zoning. Planning Commission Recommendation: To grant P-NP Public-Neighborhood Plan Combining district zoning. Applicant: City of Austin Parks & Recreation Department (Sarah Campbell) Agent: City of Austin Neighborhood Planning and Zoning Department. City Staff: Annick Beaudet, 974-2975.

Ordinance No. 030306-Z1 was approved.

- Z- 2 C14-03-0010 - Colony Park - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7700 Block of Loyola Lane (Walnut Creek Watershed) from SF-2, Single Family Residence Standard Lot district zoning to P, Public district zoning. Zoning and Platting Commission Recommendation: To grant P, Public district zoning. Applicant: City of Austin Parks & Recreation Department (Sarah Campbell). Agent: Neighborhood Planning and Zoning Department. City Staff: Annick Beaudet, 974-2975.

Ordinance No. 030306-Z2 was approved.

- Z- 3 C814-95-0002.04 - Four Points Centre PUD - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11404 FM 2222 (Bull Creek Watershed) from PUD, Planned Unit Development district zoning to PUD, Planned Unit Development district zoning in order to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant PUD, Planned Unit Development district, zoning. Applicant: TPG Four Points Land LP. Agent: Graves, Dougherty, Hearon & Moody (David Hartman). City Staff: Sherri Gager, 974-3057.

The first reading of the ordinance was approved.

Item Z-4 was pulled for discussion.

- Z- 5 C14-02-0154 - Mc Dougal Property - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Windy Ridge Road at North F.M. 620 North (Lake Travis Watershed) from SF-2 Single Family Residence Standard Lot district zoning and DR Development Reserve district zoning to CS General Commercial Services district zoning. Zoning and Platting Commission Recommendation: To grant W/LO-CO Warehouse/Limited Office-Conditional Overlay Combining district zoning. Applicant: Gerald Mc Dougal. Agent: McLean and Howard (Bill McClean). City Staff: Glenn Rhoades, 974-2775. Note: A valid petition has been filed in opposition to this rezoning request. (Continued from 2/27/03)

This item was postponed to March 20, 2003 at the Neighborhood Association's request.

ZONING DISCUSSION ITEMS

- Z- 4 C14-02-0139 - Hill Oaks Drive- Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6603 and 6605 Hill Oaks Drive (Slaughter Creek Watershed -Barton Springs Zone) from SF-1 Single Family Residence Large Lot district zoning to SF-3 Family Residence district zoning. Zoning and Platting Commission Recommendation: To forward the request without a recommendation. Applicant: Rathna Reddy. City Staff: Wendy Walsh, 974-7719; A valid petition has been filed in opposition to this rezoning request. (Continued from 1/9/03).

This item was withdrawn by the applicant.

DISCUSSION ITEMS

31. Approve execution of a revised Interlocal Agreement for Regional Mobility and Transportation Projects between Capital Metropolitan Transportation Authority (CMTA) and City of Austin to revise certain partnership protocols relating to the quarter-cent funded projects, and providing for cooperation and assistance regarding the new Saltillo District Redevelopment Project (the East 4th and 5th and Street Corridor Master Plan), and Transit Station Planning. (Funding in the amount of \$387,500 is available in the Amended 2002-2003 Capital Budget of the Transportation, Planning & Sustainability Department.) (Related Item 32)
The motion authorizing the execution of a revised Interlocal Agreement was approved on Council Member Alvarez' motion, Mayor Garcia's second on a 6-0 vote. Council Member Dunkerley was off the dais.
32. Amend Ordinance No. 020909-02, the 2002-2003 Approved Capital Budget of the Transportation, Planning & Sustainability Department by appropriating \$387,500 in Rapid Transit Project funds from the Capital Metropolitan Transportation Authority to a new account entitled "Transit Station Planning Services (CMTA Funding). (Funding is available from the Capital Metropolitan Transportation Authority.) (Related Item 31)
Ordinance No. 030306-32 was approved on Council Member Alvarez' motion, Mayor Garcia's second on a 6-0 vote. Council Member Dunkerley was off the dais.

Mayor Garcia recessed the Council Meeting to go into Executive Session at 4:47 p.m.

The Mayor announced Items 26, 33, 37 and 48 would also be discussed in Executive Session.

5:30 P.M. LIVE MUSIC

PROCLAMATIONS

Proclamation -- Trail Ride Week - to be presented by Mayor Gus Garcia and to be accepted by Jean Mueller

Proclamation - - Red Cross Month - to be presented by Mayor Gus Garcia and to be accepted by Ken Williams

Executive Session ended at 7:29 p.m.

Mayor Garcia called the regular Council Meeting back to order at 7:30 p.m.

26. Authorize execution of a construction contract with CAPITAL EXCAVATION COMPANY, AUSTIN, TEXAS, for construction of the extension of Escarpment Boulevard from Aden Lane to S.H.45 in the amount of \$2,098,079 plus a 10% contingency, for a total contract amount not to exceed \$2,307,900. (Funding in the amount of \$2,307,900 is available in the following BUDGETS: \$2,181,100 from the 2002-2003 Capital Budget of the Transportation, Planning, and Sustainability Department and \$126,800 from the 2002-2003 Capital Budget of the Fire Department.) Lowest of Seven Bids Received. 6.91% MBE, 17.24% WBE subcontracting participation. (Related Item 33)
The motion authorizing the negotiation of a construction contract and bring back on March 20, 2003 for possible execution was made by Mayor Pro Tem Goodman and seconded by Mayor Garcia.

The substitute motion to execute the construction contract but directing staff to bring information back to Council on March 20, 2003 before the contract was signed was

approved on Council Member Slusher's motion, Council Member Wynn's second on a 6-1 vote. Mayor Pro Tem Goodman voted no.

33. Amend Ordinance No. 020909-02, the Fiscal Year 2002-2003 Transportation Planning and Sustainability Department Capital Budget to re-allocate \$349,000 from the South 1st Street Extension project and \$601,000 from the TSM - Intersection Improvements project, for a total re-appropriation of \$950,000 to the Escarpment Blvd. Extension Project. (Funding in the amount of \$349,000 is available in the 1998 G.O. Bonds, Proposition 1 associated with the S. 1st Street Extension Project and \$601,000 is available in the 1998 G.O. Bonds, Proposition 1 associated with the TSM Intersection Improvements Project) (Related Item 26)
There was motion to postpone this item to March 20, 2003 that was made by Mayor Pro Tem Goodman and seconded by Mayor Garcia.

The substitute motion to adopt Ordinance No. 030306-33 was approved on Council Member Slusher's motion, Council Member Wynn's second on a 7-0 vote.

PUBLIC HEARINGS AND POSSIBLE ACTION

46. Conduct a public hearing to receive citizen comments on proposed amendments to the City's federal annual Action Plan 2002-2003, including the transfer of \$585,500 in Community Development Block Grant (CDBG) funds from Acquisition and Development (Rental) programs to the Homeowner Rehabilitation Program. (The Community Development Commission (CDC) made recommendations to the City Council on the Action Plan 2002-2003 on July 16, 2002.)
This item was postponed to March 20, 2003 on Council Member Wynn's motion, Council Member Thomas' second on a 5-0 vote. Council Members Dunkerley and Slusher were off the dais.
43. Conduct a public hearing for the full purpose annexation of: Dittmar Tract (Approximately 1 acres located in Travis County approximately 1488 feet south and 333 feet east of the intersection of Brodie Lane and William Cannon).
This item was pulled from the agenda due to a posting error.
45. Conduct a public hearing for the full purpose annexation of: Sunset Valley Apartments (Approximately 45 acres located in Travis County east of Brodie Lane approximately 490 feet north of the intersection of Brodie Lane and William Cannon).
The public hearing was closed on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 6-0 vote. Council Member Dunkerley was off the dais.
44. Conduct a public hearing for the full purpose annexation of: the Avery Ranch Area (Approximately 15 acres located in Williamson County south of Avery Ranch Blvd., approximately 1,134 feet east of the intersection of Parmer Lane and Avery Ranch Blvd).
The public hearing was closed on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 6-0 vote. Council Member Dunkerley was off the dais.
47. Conduct a public hearing to consider a request for a waiver from the minimum distance requirement of Section 8-3-4(A) of the City Code to allow a proposed convenience store located at 2105 South Congress to sell beer and wine within 300 feet of Fulmore Middle School.
This item was postponed to April 10, 2003 on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 6-0 vote. Council Member Dunkerley was off the dais.

37. Discuss and consider possible action on policy issues regarding Travis County and City of Austin subdivision regulations, including Transportation Plan, Preliminary Plan expiration, Variances and Waivers, Fiscal Policy, Sidewalks, Gated Communities/Private Streets, Consolidation of Fees, Reviews and Inspections, Maintenance of Drainage Infrastructure in the ETJ, and County participation in Regional Storm Water Management Program.

Resolution No. 030306-37 was approved on Council Member Slusher's motion, Mayor Pro Tem Goodman's second on a 6-0 vote. Council Member Dunkerley was off the dais.

48. Conduct a public hearing to consider amendments to Chapters 25-2, 25-4, 25-6 and 25-7 of the Land Development Code regarding drainage and transportation requirements, in accordance with the Agreement on Subdivision Platting in the Extraterritorial Jurisdiction between the City of Austin and Travis County, adopted under authority of House Bill 1445. (Recommended by Zoning & Platting Commission; Codes & Ordinances Subcommittee of the Planning Commission; Urban Transportation Commission; Environmental Board; and Planning Commission.)

The public hearing was closed on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 6-0 vote. Council Member Dunkerley was off the dais.

Ordinance No. 030306-48 was approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 6-0 vote. Council Member Dunkerley was off the dais.

THE FOLLOWING AMENDMENT(S) WERE MADE

The public hearing was closed on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 6-0 vote. Council Member Dunkerley was off the dais.

Ordinance No. 030306-48A regarding transportation was approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 6-0 vote. Council Member Dunkerley was off the dais.

Ordinance No. 030306-48B regarding drainage was approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 6-0 vote. Council Member Dunkerley was off the dais.

18. C14-02-0183 - Govalle/Johnston Terrace Combined Neighborhood Planning Area Rezoning - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the Govalle/Johnston Terrace Combined Neighborhood Plan area, area boundaries include Oaks Springs Road, Airport Boulevard and Austin & N.W. Railroad on the north, U.S. Highway 183 - Ed Bluestein Boulevard on the east, Colorado River on the south, and Pleasant Valley Road and Webberville Road on the west (Boggy Creek, Colorado River, Fort Branch and Tannehill Creek Watersheds) The proposed zoning change will create two Neighborhood Plan Combining Districts (NPCD) covering the entire area. Under the proposed Govalle/ NPCD, the proposed zoning change will: 1) add the Neighborhood Mixed Use Building special use for Tracts 4, 5, 24, 27, 32b, 41, 42, 44, 45a, 45b, 46, 47, 48, 49a, 49b, 49c, 49d, 52a, 91, 100, 139a, and 139b; 2) permit Neighborhood Urban Center special use for Tracts 47, 139a, and 139b; and 3) permit small lot amnesty for the entire planning area. Under the proposed Johnston Terrace NPCD, the proposed zoning change will: 1) add the Neighborhood Mixed Use Building special use for Tracts 131 and 132b; and 2) permit small lot amnesty for the entire planning area. The proposed zoning change will also change the base zoning districts on approximately 186 tracts of land. from: SF-3, Family Residence district; MF-2-CO, Multi-Family Residence Low Density-Conditional Overlay Combining district; MF-3, Multi-Family Residence Medium Density district; LO, Limited Office district; LO-CO, Limited Office-

Conditional Overlay Combining district; GO, General Office district; GO-CO, General Office-Conditional Overlay Combining district; LR, Neighborhood Commercial district; GR, Community Commercial district; CS, General Commercial Services district; CS-CO, General Commercial Services-Conditional Overlay Combining district; CS-1, Commercial Liquor Sales district; LI, Limited Industrial Services district, zoning. to: RR-NP, Rural Residential-Neighborhood Plan Combining district; SF-3-NP, Family Residence-Neighborhood Plan Combining district; SF-4A-NP, Single Family Residence Small Lot-Neighborhood Plan Combining district; MF-2-NP, Multi-Family Residence Low Density-Neighborhood Plan Combining district; MF-3-NP, Multi-Family Residence Medium Density-Neighborhood Plan Combining district; NO-MU-NP, Neighborhood Office-Mixed Use-Neighborhood Plan Combining district; LO-CO-NP, Limited Office-Conditional Overlay-Neighborhood Plan Combining district; LO-MU-NP, Limited Office-Mixed Use-Neighborhood Plan Combining district; LO-MU-CO-NP, Limited Office-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district; GO-NP, General Office-Neighborhood Plan Combining district; LR-MU-NP, Neighborhood Commercial-Mixed Use-Neighborhood Plan Combining district; GR-NP, Community Commercial-Neighborhood Plan Combining district; GR-CO-NP, Community Commercial-Conditional Overlay-Neighborhood Plan Combining district; GR-MU-NP, Community Commercial-Mixed Use-Neighborhood Plan Combining district; GR-MU-CO-NP, Community Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district; W/LO-NP, Warehouse, Limited Office-Neighborhood Plan Combining district; CS-NP, General Commercial Services-Neighborhood Plan Combining district; CS-CO-NP, General Commercial Services-Conditional Overlay-Neighborhood Plan Combining district; CS-MU-CO-NP, General Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district; CS-1-CO-NP, Commercial Liquor Sales-Conditional Overlay-Neighborhood Plan Combining district; CS-1-MU-CO-NP, Commercial Liquor Sales-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district; IP-NP, Industrial Park, Neighborhood Plan Combining district; LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district; and P-NP, Public-Neighborhood Plan Combining district, zoning. First reading: February 13, 2003. Vote: 7-0 on portions of rezonings; and 6-0-1 on portions of rezonings, with Alvarez abstaining. Applicant: City of Austin Neighborhood Planning & Zoning Department. Agent: City of Austin Neighborhood Planning & Zoning Department. City Staff: Annick Beaudet, 974-2975, Steve Rossiter, 974-2598. Valid petitions have been filed in opposition to portions of this rezoning request. (Continued from 2/13/03.) (Related Item 19)

The motion to adopt the NPCD rezoning, on second reading, as passed on first reading for the Mixed Employment District, with the exception of property zoned residential would be zoned CS-MU-CO-NP and CS and GR zoned property would have the following conditional overlay, was approved on Council Member Alvarez' motion, Mayor Pro Tem Goodman's second on a 6-0 vote. Council Member Dunkerley was off the dais. The conditional overlay for CS zoned property was prohibiting adult oriented businesses, campground, kennels, laundry services, pawn shop services, residential treatment, and vehicle storage. Conditional uses would be drive-in services, agricultural sales and services, automotive rentals, repair, sales and washing, building maintenance services, commercial off-street parking, construction sales and services, equipment sales and services, and limited warehousing and distribution. The conditional overlay for GR zoned property was prohibiting pawnshop services and residential treatment. Conditional uses would be drive-in services, automotive rentals, repair, sales and washing, and commercial off-street parking.

The motion to approve on second reading the NPCD for the balance of the Neighborhood Plan, as passed on first reading, with the exception of the following properties that have valid petitions on file: (1002 Springdale Road (Tract 24), 618 Tillery (Tracts 32 a and 32b),

405 Tillery (Tract 56), 730 Shady Lane (Tract 106), 777 Shady Lane (Tract 111), 740 Airport Blvd. (Tract 112), 750, 760, and 764 Airport Blvd. (Tract 112), 0 Bolm Road (Lots 1, 2, and 3 Synnott Glenn Subdivision Tract 136), 1700 and 1704 Smith Road (Tract 137c), and 1800 and 1808 Smith Road (Tract 137c), and the following tracts: 25b, 132a, and 132b, was approved on Mayor Pro Tem Goodman's motion, Council Member Thomas' second on a 5-0 vote. Council Member Alvarez abstained because the area is near his home and Council Member Dunkerley was off the dais.

The motion to zone 1002 Springdale Road (Tract 24) to CS-MU-CO-NP and eliminating limited warehousing and distribution from the conditional uses, on second reading, was approved on Council Member Slusher's motion, Council Member Wynn's second on a 6-0 reading. Council Member Dunkerley was off the dais.

The motion to zone 618 Tillery Street (Tract 32a and 32b) to LO-CO-NP on Tract 32a and LO-MU-CO-NP on Tract 32b, on second reading, was approved on Council Member Alvarez' motion, Mayor Garcia's second on a 6-0 vote. Council Member Dunkerley was off the dais.

The motion to zone 405 Tillery Street (Tract 56) to CS-MU-CO-NP zoning with the following conditional overlay on second reading was approved on Council Member Wynn's motion, Council Member Slusher's second on a 5-0 vote. Mayor Garcia and Council Member Dunkerley were off the dais. The conditional overlay was: prohibiting adult oriented businesses, campground, kennels, laundry services, pawnshop services, residential treatment, and vehicle storage. Conditional uses would be drive-in services, agricultural sales and services, automotive rentals, repair, sales and washing, building maintenance services, commercial off-street parking, construction sales and services, equipment sales and repair, and limited warehousing and distribution.

The motion to adopt LI zoning for 730 Shady Lane (Tract 106), on second reading, with instructions to staff to develop a conditional overlay and restrictive covenant to restrict industrial uses to bottling and brewing was approved on Council Member Slusher's motion, Mayor Pro Tem Goodman's second on a 5-1 vote. Those voting aye were: Mayor Garcia, Mayor Pro Tem Goodman, and Council Members Slusher, Thomas and Wynn. Council Member Alvarez voted no. Council Member Dunkerley was off the dais.

The motion to adopt LR-MU-CO-NP zoning for the front 25 feet of property and CS-MU-CO-NP for the remainder of the property at 777 Shady Lane (Tract 111), on second reading, with the following conditional overlay, was approved on Council Member Alvarez' motion, Mayor Pro Tem Goodman on a 6-0 vote. Council Member Dunkerley was off the dais. The conditional overlay was: prohibiting adult oriented businesses, campground, kennels, laundry services, pawnshop services, residential treatment, and vehicle storage. Conditional uses would be drive-in services, agricultural sales and services, automotive rentals, repair, sales and washing, building maintenance services, commercial off-street parking, construction sales and services, equipment sales and repair, and limited warehousing and distribution.

The motion to adopt CS-CO-NP zoning for 740 Airport Blvd (Tract 112), on second reading, was approved on Council Member Alvarez' motion, Mayor Garcia's second on a 5-0 vote. Council Members Dunkerley and Thomas were off the dais.

The motion to adopt CS-CO-NP zoning for 750, 760 and 764 Airport Blvd (Tract 112), on second reading, was approved on Council Member Alvarez' motion, Mayor Pro Tem Goodman's second on a 5-0 vote. Council Members Dunkerley and Thomas were off the dais.

The motion to adopt LR-MU-NP zoning for the eastern one acre as Tract 132b with a conditional overlay to prohibit service stations and SF-3-NP zoning for the remaining two acres as Tract 132a, on second reading, was approved on Council Member Alvarez' motion, Council Member Slusher's second on a 5-0 vote. Council Members Dunkerley and Thomas were off the dais.

The motion to adopt GO-NP zoning for 0 Bolm Road (Lots 1, 2 and 3 Synnott Glenn Subdivision Tract 136), on second reading, was approved on Council Member Alvarez' motion, Mayor Pro Tem Goodman's second on a 5-0 vote. Council Members Dunkerley and Thomas were off the dais.

The motion to adopt IP-NP zoning for 1700 and 1704 Smith Road (Tract 137c), on second reading, was approved on Council Member Alvarez' motion, Council Member Slusher's second on a 5-0 vote. Council Members Dunkerley and Thomas were off the dais.

The motion to adopt IP-NP zoning for 1800 and 1808 Smith Road (Tract 137c), on second reading, was approved on Council Member Alvarez' motion, Council Member Slusher's second on a 5-0 vote. Council Members Dunkerley and Thomas were off the dais.

The motion to adopt SF-3-NP zoning for Tract 25b on Springdale Road, on second reading, was approved on Council Member Alvarez' motion, Mayor Pro Tem Goodman's second on a 6-0 vote. Council Member Dunkerley was off the dais.

19. Consider on second and third readings an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Govalle/Johnston Terrace Combined Neighborhood Plan for the area bounded by Oaks Springs, Airport Blvd. and Austin & NW Railroad on the north, 183 - Ed Bluestein on the east, Colorado River on the south, and Pleasant Valley and Webberville Road on the west (see attached map). (December 18, 2002 - Planning Commission voted to recommend the Govalle/Johnston Terrace Neighborhood Plan to the City Council for adoption.) (Related Item 18)

There was a motion by Council Member Alvarez to approve, on second reading, the land use plan as passed on first reading for the Mixed Employment. This motion was seconded by Mayor Pro Tem Goodman.

There was a substitute motion by Council Member Slusher to accept the recommendations from the Planning Team with the same conditional overlays as proposed above. This was seconded by Council Member Wynn but failed on a 2-4 vote. Those voting aye were Council Members Slusher and Wynn. Those voting nay were: Mayor Garcia, Mayor Pro Tem Goodman, and Council Members Alvarez and Thomas.

The Council then approved the main motion as stated above with a friendly amendment to show current residential uses in the Mixed Employment District as mixed use on the land use plan from Council Member Slusher on a 6-0 vote. Council Member Dunkerley was off the dais.

The motion to approve on second reading the balance of the Neighborhood Plan as passed on first reading with the exception of those properties that have valid petitions: (1002 Springdale Road (Tract 24), 618 Tillery (Tracts 32 a and 32b), 405 Tillery (Tract 56), 730 Shady Lane (Tract 106), 777 Shady Lane (Tract 111), 740 Airport Blvd. (Tract 112), 750, 760, and 764 Airport Blvd. (Tract 112), 0 Bolm Road (Lots 1, 2, and 3 Synnot Glenn Subdivision Tract 136), 1700 and 1704 Smith Road (Tract 137c), and 1800 and 1808 Smith Road (Tract 137c) filed on them, and the following tracts: 25b, 132a, and 132b that were pulled for discussion, was approved on Mayor Pro Tem Goodman's motion, Mayor Garcia's second on a 5-0: Council Member Alvarez abstained because the area is near his home and Council Member Dunkerley was off the dais.

The motion to adopt the plan recommendation – Mixed Use for 1002 Springdale Road (Tract 24), on second reading, was approved on Council Member Alvarez' motion, Mayor Pro Tem Goodman's motion on a 6-0 vote. Council Member Dunkerley was off the dais.

The motion to adopt the plan recommendation for 618 Tillery Street Tract 32a – Office and Tract 32b – Mixed Use on second reading was approved on Council Member Alvarez' motion, Council Member Thomas' second on a 6-0 vote. Council Member Dunkerley was off the dais.

The motion to adopt the plan recommendation -- commercial for 405 Tillery Street (Tract 56) on first and second readings was approved on Council Member Alvarez' motion, Council Member Thomas' second on a 6-0 vote. Council Member Dunkerley was off the dais.

The motion to designate light industrial on the neighborhood plan for 730 Shady Lane (Tract 106) on second reading, with instructions to staff to develop a conditional overlay and restrictive covenant to restrict industrial uses to bottling and brewing was approved on Council Member Slusher's motion, Mayor Pro Tem Goodman's second a 4-1 vote. Those voting aye were: Mayor Pro Tem Goodman, and Council Members Slusher, Thomas and Wynn. Council Member Alvarez voted no. Mayor Garcia and Council Member Dunkerley were off the dais.

The motion to adopt the plan recommendation – mixed use for 777 Shady Lane (Tract 111), on second reading, was approved on Council Member Alvarez' motion, Council Member Thomas' second on a 6-0 vote. Council Member Dunkerley was off the dais.

The motion to adopt the plan recommendation – commercial for 740 Airport Blvd. (Tract 112), on second reading, was approved on Council Member Alvarez' motion, Council Member Goodman's second on a 5-0 vote. Council Members Dunkerley and Thomas were off the dais.

The motion to adopt the plan recommendation – commercial for 750, 760 and 764 Airport Blvd. (Tract 112), on second reading, was approved on Council Member Alvarez' motion, Mayor Pro Tem Goodman's second on a 5-0 vote. Council Members Dunkerley and Thomas were off the dais.

The motion to adopt Mixed Use for the eastern one acre of Tract 132b and single family on the remaining two acres as Tract 132a in the neighborhood plan was approved on Council Member Alvarez' motion, Council Member Slusher's second on a 5-0 vote. Council Members Dunkerley and Thomas were off the dais.

The motion to adopt the plan recommendation – office for 0 Bolm Road (Lots 1, 2, and 3 Synnott Glenn Subdivision) Tract 136, on second reading, was approved on Council Member Alvarez' motion, Mayor Pro Tem Goodman's second on a 6-0 vote. Council Members Dunkerley and Thomas were off the dais.

The motion to adopt industrial in the neighborhood plan for 1700 and 1704 Smith Road (Tract 137c) was approved on Council Member Alvarez' motion, Council Member Slusher's second on a 5-0 vote. Council Members Dunkerley and Thomas were off the dais.

The motion to adopt industrial in the neighborhood plan for 1800 and 1808 Smith Road (Tract 137c) was approved on Council Member Alvarez' motion, Council Member Slusher's second on a 5-0 vote. Council Members Dunkerley and Thomas were off the dais.

The motion to adopt single family in the neighborhood plan for Tract 25b on Springdale Road was approved on Council Member Alvarez' motion, Mayor Pro Tem Goodman's second on a 6-0 vote. Council Member Dunkerley was off the dais.

Staff was directed to inform AISD of the action taken by Council to see if they had any comments or concerns particularly on tracts 46, 106 and 111.

21. Approve an ordinance establishing procedures for amending the neighborhood plan elements of the Austin Tomorrow Comprehensive Plan. (Planning Commission adopted a resolution establishing a neighborhood plan amendment process and criteria for employing the process.) (3rd reading) (Adopted by Planning Commission) (Related Item 22)
This item was postponed to March 27, 2003 on Council Member Slusher's motion, Mayor Pro Tem Goodman's second on a 6-0 vote. Council Member Dunkerley was off the dais.
22. Approve an ordinance to amend Ordinance No. 020910-04, the Fiscal year 2002-2003 Neighborhood Planning and Zoning Department Fee Schedule, to establish a new neighborhood plan amendment application fee of \$450 for notification of a neighborhood plan amendment regarding an individual property. (The Neighborhood Planning and Zoning Department anticipates that this fee will generate \$5,400 in revenue per year and anticipates collecting \$2,700 in revenue in the remainder of Fiscal Year 2003.) (Planning Commission adopted a resolution establishing a neighborhood plan amendment process and criteria for employing the process.) (Related Item 21)
This item was postponed to March 20, 2003 on Council Member Slusher's motion; Mayor Pro Tem Goodman's second on a 6-0 vote. Council Member Dunkerley was off the dais.

The motion to adjourn the meeting at 10:38 p.m. was approved on Council Member Slusher's motion, Mayor Pro Tem Goodman's second on a 6-0 vote. Council Member Dunkerley was off the dais.

The minutes for the regular meeting of March 6, 2003 were approved on March 20, 2003 on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 7-0 vote.

The minutes for the regular meeting of March 6, 2003 were amended and approved on May 15, 2003 on Council Member Wynn's motion, Council Member Thomas' second on a 7-0 vote. The following amendments were made:

48. Conduct a public hearing to consider amendments to Chapters 25-2, 25-4, 25-6 and 25-7 of the Land Development Code regarding drainage and transportation requirements, in accordance with the Agreement on Subdivision Platting in the Extraterritorial Jurisdiction between the City of Austin and Travis County, adopted under authority of House Bill 1445. (Recommended by Zoning & Platting Commission; Codes & Ordinances Subcommittee of the Planning Commission; Urban Transportation Commission; Environmental Board; and Planning Commission.)

PREVIOUS ACTION LANGUAGE

The public hearing was closed on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 6-0 vote. Council Member Dunkerley was off the dais.

Ordinance No. 030306-48 was approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 6-0 vote. Council Member Dunkerley was off the dais.

NEW ACTION LANGUAGE

The public hearing was closed on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 6-0 vote. Council Member Dunkerley was off the dais.

Ordinance No. 030306-48A regarding transportation was approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 6-0 vote. Council Member Dunkerley was off the dais.

Ordinance No. 030306-48B regarding drainage was approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 6-0 vote. Council Member Dunkerley was off the dais.